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Date: November 21, 2006 By: Edwin P. Ching

Edwin P. Ching

PATENT

Atty. Docket No.
GEC-001-2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gregory E. Conner

Serial No.: 10/771,057

Filed: February 3, 2004

For: NOVEL METHODS AND DEVICES
FOR TREATING LUNG
DYSFUNCTION

Examiner: Alstrum Acevedo, J.H.

Art Unit: 1616

INFORMATION DISCLOSURE

Woodside, California 94062

November 21, 2006

- 5 Commissioner for Patents
Alexandria, Virginia 22313

Honorable Sir:

- 10 Applicant submits a textual listing of the prior art relevant to the claims. The descriptions here correspond to the information on the forms 1449. The references were cited in the parent case and/or in the Specification.

Patent Documents:

- 15 US Pat 5,503,853 issued to Bollen, et al., published by the PCT February 6, 1992, describing prophylactic and therapeutic applications for peroxidases.
- US Pat 6,149,908 issued to Claesson, et al., published by PCT July 31, 1997, describing use of lactoperoxidase, a peroxide donor and thiocyanate for the manufacture of a medicament for treating Helicobacter pylori infection.

20

Non-Patent Literature Documents

11/27/2006 YPOLITE1 00000017 10771057

Salathe, et al. (1997) Am. J. Respir. Cell Mol. Biol. 17:97-105, describing isolation and characterization of a peroxidase from the airway.

100.00 QP

Wang, et al. (1996) Proc. Nat'l Acad. Sci. USA 93:13182-13187, describing NADPH-oxidase and a hydrogen peroxide-sensitive K⁺ channel may function as an oxygen sensor complex in airway chemoreceptors and small cell lung carcinoma cell lines.

- 5 Bjork, et al. (1975) Applied Microbiology 30:199-204, describing antibacterial activity of the lactoperoxidase system in milk against Pseudomonads and other gram-negative bacteria.

Dacre and Tabershaw (1970) Arch. Environmental Health 21:47-49, describing thiocyanate in saliva and sputum.

- 10 Conner, et al. (2001) Am. J. Resp. Critic. Care Med. 163:A490, describing impaired thiocyanate transport in cystic fibrosis leads to an altered lactoperoxidase antibacterial system.

Lovaas (1992) Free Radical Biol. and Med. 13:187-195, describing free radical generation and coupled thiol oxidation by lactoperoxidase/SCN⁻/H₂O.

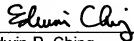
- 15 Thomas, et al. (1994) Infection and Immunity 62:529-535, describing antibacterial activity of hydrogen peroxide and the lactoperoxidase-hydrogen peroxide-thiocyanate system against oral streptococci.

Conclusion

- 20 Applicant believes the document with \$180 fee satisfies rules on submitting an information disclosure statement in phase two.

Respectfully submitted,

- 25 Date: November 21, 2006



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Reg. No. 34,090
Attorney for Applicant

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NOV 24 2006

Approved for use through 03/31/2007. OMB 0651-0031

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Substitute for form 1449/PTO

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(Use as many sheets as necessary)

Complete if Known

Application Number	10/771,057
Filing Date	February 3, 2004
First Named Inventor	Gregory E. Conner
Art Unit	1616
Examiner Name	Alstrum-Acevedo, J.H.
Attorney Docket Number	GEC-001-2US

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U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature	/s/ James Alstrum Acevedo/	Date Considered	07/07/2008
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***EXAMINER.** Include if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Initial copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/771,057
Filing Date	02/03/2004
First Named Inventor	Gregory E. Conner
Art Unit	1616
Examiner Name	Alstrum Acevedo, James Henry
Attorney Docket Number	GEC-001-2US

Sheet two of two

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Salathe, et al. (1997) "Isolation and characterization ..." Am. J. Respir. Cell Mol. Biol. 17:97-105	
		Wang, et al. (1996) "NADPH-oxidase and a hydrogen ..." Proc. Nat'l Acad. Sci. USA 93:13182-13187	
		Bjorck, et al. (1975) "Antibacterial activity of the ..." Applied Microbiol. 30:199-204	
		Dacre and Tabershaw (1970) "Thiocyanate in Saliva and Sputum: Relationship to Smoking and Industrial Hygiene" Arch. Environmental Health 21:47-49	
		Conner, et al. (2001) "Impaired thiocyanate transport ..." Am. J. Respir. Critic. Care Med. 163:A490	
		Lovaas (1992) "Free Radical Generation ..." Free Radical Biol. and Med. 13:187-195	
Not provided		Gerson, et al. (2000) "The Lactoperoxidase System ..." Am. J. Respir. Cell Mol. Biol. 22:665-671	
		Thomas, et al. (1994) "Antibacterial activity of hydrogen peroxide ..." Infection and Immunity 62:529-535	

Examiner Signature	/James Alstrum Acevedo/	Date Considered	07/07/2008
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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